

Planning Commission Date: August 11, 2004

Item No.

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MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: New Business

Report prepared by: Blair King

Public Hearing: Yes: _____ No: X

Notices Mailed On: N/A

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TITLE: **GENERAL PLAN CONFORMANCE FOR THE SALE OF CITY OF MILPITAS PROPERTY TO THE MILPITAS REDEVELOPMENT AGENCY.**

Proposal: A request for a General Plan conformance finding for the sale of eight (8) City of Milpitas properties located within the Redevelopment Project Area One to the Milpitas Redevelopment Agency.

Location: 775 Barber (Fire Station 4) APN 086-02-061;
45 Medwick (Fire Station 3) APN 026-13-033;
777 S. Main Street (Fire Station 1) APN 086-11-008;
455 E. Calaveras Blvd. (portions of Civic Center property excluding City Hall) APN 028-12-11;
160 N. Main (Old Senior Center) APN 028-24-019;
163 N. Main (Smith House) APN 022-08-041; and
South portion of 163 N. Main APN 022-08-042

RECOMMENDATION: **Find that the disposition and continued public use of the subject properties are in conformance with the General Plan.**

Applicant: City of Milpitas, Attn: Blair King, 455 E. Calaveras Blvd., Milpitas, CA 95035

Property Owner: City of Milpitas, 455 E. Calaveras Blvd., Milpitas, CA 95035

Attachments: N/A

BACKGROUND

Government Code Section 65402 requires, for the most part, that prior to a city acquiring or selling property that its Planning Commission find that the purchase or sale of property conforms

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to the city's adopted General Plan. State Community Redevelopment law allows a Redevelopment Agency to acquire property for public purposes.

PROJECT DESCRIPTION

The City of Milpitas and the Milpitas Redevelopment Agency are proposing to exchange title to eight (8) of the city-owned parcels located within the boundaries of Redevelopment Project One. Although the property's use will remain the same whether owned by the City or Redevelopment Agency, nevertheless, due to the fact that this is technically a sale, a finding of General Plan Consistency is required.

Redevelopment Agencies exist in every city and county in the state and lie dormant until activated by ordinance or resolution. When activated they are a public body technically independent from the City Council. However, the same as the majority of cities, Milpitas when it activated its Redevelopment Agency appointed the City Council as the governing body. The Redevelopment Agency is authorized to carry out activities in furtherance of the Redevelopment Plan. In 1993 the Redevelopment Agency undertook a major reorganization of Redevelopment Project Area One adding approximately by 691 acres to the Redevelopment Area and increasing its financial capacity. With the restructuring of the Redevelopment Area and for the sake of efficient operations and public benefit, it is proposed that title to the city owned properties within Project Area One be transferred to the Agency.

Conformance with the General Plan

The sale of the eight (8) City of Milpitas parcels to the Milpitas Redevelopment Agency is in conformance with the General Plan's Public Facilities and Utilities Guiding Principles 2.d-G-1 and 2.d-G-2, which require the City to provide all possible community facilities and utilities, such as civic, recreational and cultural centers, based on the anticipated needs of the community and the region. No change in land use is proposed for four (4) of the listed properties, which will remain public service utilities: Fire Stations 1, 3, and 4, and the Police Station. The four (4) remaining will be developed consistent with public purposes and General Plan designation, this includes a library, senior center, and senior housing. These plans are under development and have not been finalized. The Planning Commission will consider specific developments in the future.

RECOMMENDATION

Find that the disposition and continued public use of the subject properties are in conformance with the General Plan.

FINDINGS

1. The sale of the eight (8) City of Milpitas parcels to the Milpitas Redevelopment Agency is in conformance with the General Plan's Public Facilities and Utilities Guiding Principles 2.d-G-1 and 2.d-G-2, which require the City to provide all possible community facilities and utilities, such as civic, recreational and cultural centers, based on the anticipated needs of the community and the region.